

Chapter 9

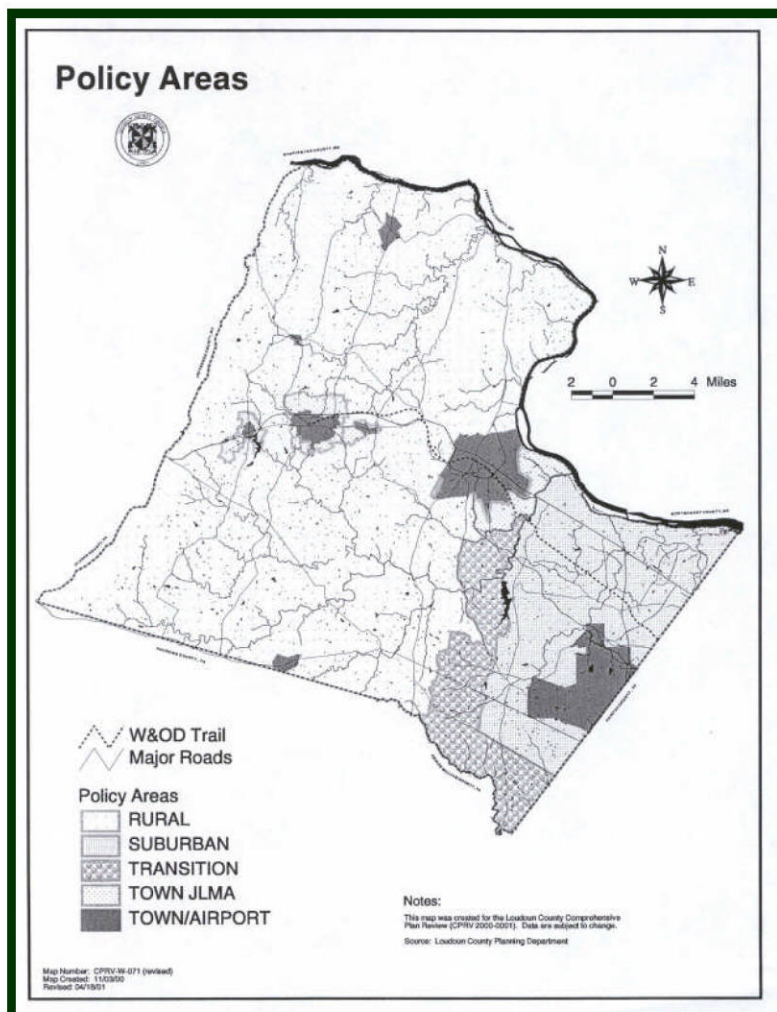
Development Review

To combat the loss of heritage resources to land development activity, the County's Comprehensive Plan calls for the identification, preservation and conservation of heritage resources as part of the land development processes. The County's preservation strategy relies largely on a Conservation Design process.

However, the County currently has neither the enabling legislation to fully implement the principles of Conservation Design nor adequate design guidelines and criteria against which to review land development applications. To assist in this task, the Preservation Plan develops policies, guidelines and future action steps for the identification and preservation of heritage resources as part of the review of land development applications.

Land Use Planning

For the purposes of strategic land use planning, the County is defined by four distinct Policy Areas, namely the Suburban, Transition and Rural Policy Areas and the Joint Land Management Area (JLMA) surrounding four of the seven incorporated towns in the County. The County has a specific vision for each of these policy areas that differs in land use, development density and pattern, the provision of public and private facilities and services, access to transportation networks and central utilities. It is also important to note that these policy areas are in different stages of their development/build-out and are, therefore, subject to varying levels of development pressure.



The **Suburban Policy Area** includes the eastern 60,000 acres of the County. This is a designated growth area within the County with higher residential and non-residential densities either currently served or planned to be served by a full complement of public utilities and services such as schools, parks and libraries. Most of the Suburban Policy Area is either completely developed or approved for development with the largest undeveloped area existing in its southern portion. Redevelopment and revitalization will constitute significant factors in the future growth and development of most of this policy area.

The **Transition Policy Area** extends over an area of approximately 23,000 acres and is envisioned to serve as a visual and physical transition between the Suburban Policy Area to the east and the Rural Policy Area to the west. Planned at lower densities than the Suburban Policy Area, clustered residential development is intended to constitute the primary development

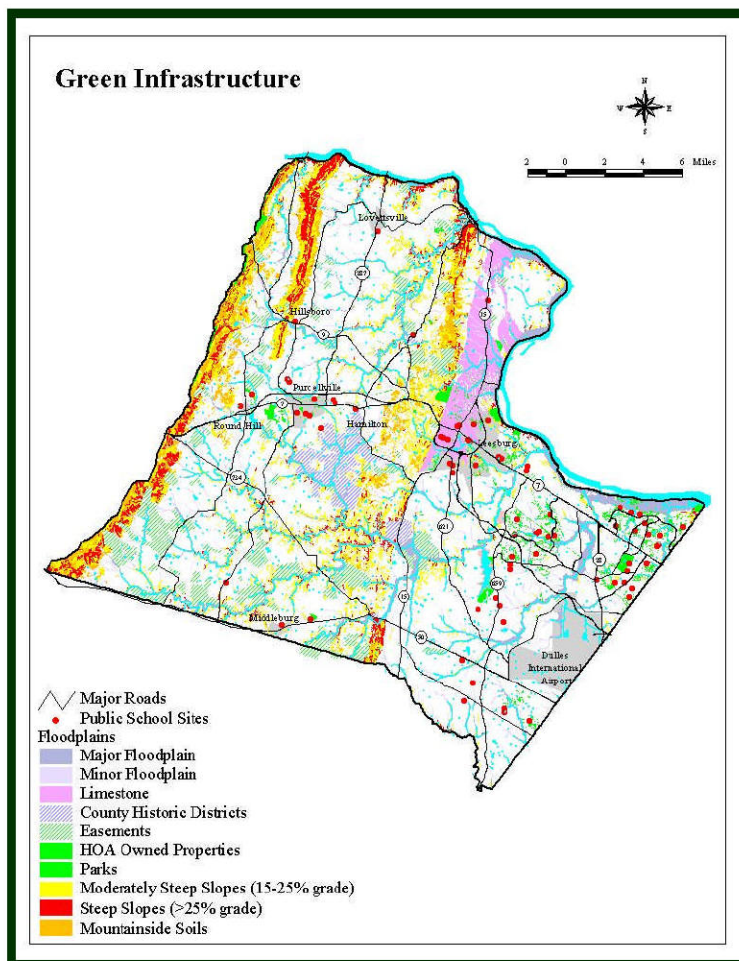
pattern in this area. The Transition Policy Area comprises six different sub-areas: Lower Sycolin, Middle Goose, Upper Broad Run, Upper Foley, Lower Foley and Lower Bull Run.

The **Rural Policy Area** extends across the western two-thirds of the County and is the largest of the County's policy areas, encompassing an area of approximately 228,000 acres. The Rural Policy Area completely envelops six of the County's seven incorporated towns. The County envisions that the Rural Policy Area will develop with a vast complement of rural economy uses and very low-density residential development either on large lots or clustered on small lots.

The **Joint Land Management Areas** are the growth or expansion areas surrounding four of the seven incorporated towns in the County namely: the Towns of Leesburg, Hamilton, Purcellville and Round Hill. The intent of the JLMAs is to concentrate development around towns where public facilities are available, limit sprawl around the towns and maintain the character of the towns as distinct communities.

Land Development

The Revised General Plan defines Conservation Design as the preferred development method countywide. The Conservation Design process identifies, preserves, and enhances a network of inter-related Green Infrastructure elements.



The Green Infrastructure elements include the abundant natural and cultural resources that define the history and evolution of Loudoun County, the County's open space assets and complementary elements such as air quality, lighting and the night sky and the aural environment. The Revised General Plan organizes the various Green Infrastructure elements into four groups as follows:

- Group One: Natural Resource Assets (River and Stream Corridors; Scenic Rivers and the Potomac River; Surface and Ground Water Resources; Geologic and Soil Resources; Forests, Trees and Vegetation; and Plant and Wildlife Habitats)
- Group Two: Heritage Resource Assets (Historic and Archaeological Resources and Scenic Areas and Corridors)

- *Group Three: Open Space Assets (Greenways and Trails, Parks and Recreation, Public School Sites, and Open Space Elements)*
- *Group Four: Complementary Elements (Air Quality, Lighting and the Night Sky, and Aural Environment) (Revised General Plan, Text, p. 5-1)*

The conservation design process is designed to identify, preserve and manage these Green Infrastructure elements through the review of land development applications through a four-step process.

“The first step in conservation design is to identify those Green Infrastructure features of a site to be preserved. The unconstrained land then is available for development and buildings can be located in that area as part of the second step. Street, utility and trail locations are then introduced on the development plan as the third step. The final step is to locate lot lines.” (Revised General Plan, Text, p.11-5)

The Conservation Design process protects *primary conservation areas* namely, the River and Stream Corridor Resources, Mountainside Soils, Steep Slopes (slopes with greater than 25% gradient), Limestone Conglomerate Bedrock and other resources required to be protected by federal and state regulations. Revised General Plan Policies seek to protect these resources.

All other Green Infrastructure elements, including heritage resources, fall within the scope of *secondary conservation areas* that are currently not defined in the Ordinance. These resources are protected only if they occur within the primary conservation areas listed above, in areas of steep slopes, or within one of the six County administered historic overlay districts.

There are few tools available to the County to protect heritage resources outside adopted environmental and historic overlay districts. In such instances, resource protection is largely negotiated during the review of land development applications. The limited success that the County has achieved in this area has been the result of voluntary proffers and dedications by applicants and protection of these heritage resources within open space areas.

The intent of the land development policies of the Preservation Plan is to support the review of land development applications by defining the heritage resource types, offering protection strategies, protection incentives and design guidelines.

Land Development Policies

1. The County recognizes its heritage resources as a collection of natural and cultural resources that represent the history and evolution of Loudoun County. These heritage resources are an integral component of the Green Infrastructure that will provide the framework for strategic land use planning and development. All new development should first and foremost seek to minimize adverse impacts on heritage sites. New development should be sited and designed to be compatible with the heritage resources on the site.
2. The County’s heritage resources include, but are not limited to the following elements:
 - Historic standing structures, ruins and/or complexes in the context of their historic settings
 - Archaeological sites, including gravesites and cemeteries
 - Cultural landscapes such as battlefields and sites
 - Landscape elements such as stone walls, historic roadbeds

- Geologic formations such as rock outcrops and mineral deposits
 - Significant trees that have been designated or qualify for designation as State or National Champions, National Register Trees, State Big Trees, Heritage trees and Specimen trees.
3. The following heritage sites will be considered priority sites in the land development review process.
 - Sites designated or potentially eligible for designation as County Heritage Register properties and/or National Landmarks and sites listed in or potentially eligible for listing in the National or State Register of Historic Places
 - Battlefields associated with “principle battles” of the Civil War (as identified by the Civil War Site Advisory Commission)
 - Sites designated or deemed potentially eligible for designation as Historic Sites under the provisions of the Loudoun County Revised 1993 Zoning Ordinance
 4. The County will develop incentives to encourage the voluntary protection of heritage resources.
 - The County will permit the voluntary transfer of density from a site with an identified heritage resource to another County approved site or sites. Receiving sites may be located anywhere in the County.
 - The County will review and make changes, as necessary, to the various regulatory documents including the Loudoun County Revised 1993 Zoning Ordinance, Facilities Standards Manual and the Land Subdivision and Development Ordinance to ensure that the regulations promote and encourage heritage preservation.
 5. Recognizing the significance of contemporary architecture to the evolving heritage of Loudoun County, the County will pursue the identification and preservation of sites that are less than 50 years of age and are known for their outstanding architecture, site design and/or heritage preservation. Examples of such sites include the Washington Dulles International Airport and the Howard Hughes Medical Research Facility.
 6. The County recognizes that all historic standing structures and sites have archaeological resources associated with them and that the demolition of these structures/sites impacts the integrity of their archaeological components. Therefore, prior to issuance of a demolition permit for any structure 50 years of age or older, qualified County staff will conduct an assessment of the structure to determine historic significance based on National Register criteria. The County’s objective is the preservation of historically significant structures and their associated archaeological resources. At a minimum, the County will record the significant structures and associated archaeological resources prior to demolition.
 7. The County will establish a Design Awards Program, as recommended by the Loudoun Main Street Program, to recognize annually existing and new developments that constitute outstanding examples of architecture, site design and/or historic preservation.

8. The County will establish an incentive-based program to provide financial assistance to property owners in dismantling a historic structure. For instance, if the salvaged materials are to be dedicated to the County, the County will bear the full cost of dismantling the structure.
9. County regulatory measures will prevent the neglect and demolition by neglect of historic resources.
10. The County will provide technical assistance in writing grant proposals to secure funding for various preservation related activities. This service will be offered to both public and private organizations seeking to preserve resources.
11. Primary responsibility for reviewing land development applications for heritage resource protection shall reside with County staff. Depending on the level of complexity involved, staff may elevate the applications to the Heritage Commission for comments.
12. The Heritage Commission will serve in an advisory capacity in the review of land use applications, whether legislative or by right.
13. The County's security plan should take into account the risks and consequences of potential terrorist threats and attacks. Critical sites are those historic and contemporary architectural and cultural resources that represent our Nation's heritage, traditions and values and political power e.g., Dulles International Airport. The sites that fall into this key asset category draw large amounts of tourism and frequent media attention, factors that impose terrorist protection challenges. The requirement at those high profile sites is to protect the visitors as well as the structures themselves. Some historic and cultural sites, located in Loudoun County, are under the protection of the Department of Homeland Security (DHS). Plans for those sites are classified by the DHS and are not freely accessible, or discussed by them. In those instances, the County security staff's role will be to coordinate and cooperate with DHS, where possible. For other County sites, designated as possible targets, the County security staff will accomplish their own evaluation and planning protection within the scope of the Nation's security guidelines.

Historic Standing Structures and their Settings



Selma Plantation, Leesburg, Virginia

Historic structures in Loudoun County constitute the most visible representations of the County's heritage. These structures tell stories about the origins, settlement patterns, social structures and lifestyles of the County's early settlers and serve as vital indicators of the presence of archaeological sites.

These structures provide valuable information, not only through their design, architectural style, building materials and construction techniques, but also through the layout of the site and surrounding landscape and are thus, inextricably linked to their historic settings. The historic settings, comprising natural and cultural

elements, associated outbuildings and other contributing landscape elements such as historic travel routes and stone walls, define the larger context within which the structure was built.

Recognizing the significance of preserving historic structures in the context of their settings, policies in the Revised General Plan state:

“The County will protect structures and other features of historic significance in the context of their natural settings and will work with landowners to convey the historic value of the resource to the community at large. Structures and other features of particular historic significance will be retained, restored, or utilized in adaptive reuse as part of a conservation design process.” (Revised General Plan, Policy 8, p.5-35)

The intent of these policies is to assist in the review of land development applications by identifying strategies to protect historic standing structures in their settings.

Historic Standing Structures and their Settings Policies

1. The County will consider the following preservation mechanisms in the review of historic standing structures. These mechanisms are prioritized in the order listed below.
 - a. **Preservation:** The County’s first priority is to preserve the original use/use type of the structure in the context of its historic setting.
 - b. **Adaptive Re-use:** While it may not always be possible to preserve or promote the original use for which a historic structure was constructed, the County recognizes the value of the building itself as a historic resource and calls for its preservation through adaptive re-use.
 - c. **Record and Relocate:** The historic structure or complex will be recorded and relocated to another County approved site. This receiving site may be located in any suitable location, anywhere in the County.
 - d. **Record and Dismantle:** The historic structure or complex will be recorded and dismantled.
 - Prior to dismantling a structure the applicant will explore opportunities for its relocation. For instance, the property owner will offer the property for sale for a minimum period of 120 days.
 - The applicant will offer the County the opportunity to relocate the structure to an alternate site within the County, prior to dismantling the structure.
 - e. **Record and Demolish:** The historic structure or complex will be recorded and demolished.
 - Prior to the issuance of a demolition permit for any structure 50 years of age or older, qualified County staff will conduct an assessment of the structure to determine historic significance based on National Register criteria.
2. Recognizing the significance of historic standing structures in their settings as valuable sources of information about the settlement patterns, architecture and lifestyles of the early inhabitants of Loudoun County, the County’s first priority will be the preservation of these resources in the context of their historic settings.

3. The County will consider applications requesting the purposeful termination of or modifications to the boundaries of historic settings through mechanisms such as buffer, landscaping and the arrangement of building sites.
4. The County will develop and make available examples of Context Analysis Reports to property owners and applicants to assist in determining the historic setting of a resource. The Context Analysis Reports will be developed based on the criteria and guidelines developed by the National Park Service for Cultural Landscape Reports.
5. The need for a Context Analysis Report will be identified at the time of the pre-application meeting for legislative applications and the pre-submission meeting for by-right applications.
6. County staff will review the context of the resource and provide input into the scope of the Context Analysis Report. This will be done during the Site Analysis and Site Inspection stages of an application review as defined in Section 6-2000 of the Loudoun County Revised 1993 Zoning Ordinance.
7. All recordation of historic structures will be conducted in accordance with the Secretary of the Interior's Standards.
8. An applicant shall conduct a Reconnaissance Level Survey to assess the historic significance of any structures 50 years of age or older prior to relocating, dismantling or demolishing the structure. The historic assessment will be conducted for any structure less than 50 years of age if the structure has been identified as an exceptional example of contemporary architecture either by the County Design Awards Program or the County Heritage Register.
9. All new land development applications will be evaluated against the Design and Preservation Guidelines outlined in this Plan.
10. All new developments falling within the setting of a historic resource will comply with the Architectural Compatibility Guidelines established in the Preservation Plan.